IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 19TH SEPTEMBER 2007 / 28TH BHADRA 1929

Bail Appl..No. 5632 of 2007()

PETITIONER/ACCUSED

SUSMESH C.N., @ SUSMESH CHANDROTH,
CHANDROTH, THARAYIL HOUSE, TOG PASS ROAD,
KALAMASSERY P.O., ERNAKULAM DISTRICT.

BY ADV. SRI.R.DIVAKARAN

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
C.I. OF POLICE, KALAMASSERY POLICE STATION, REP.BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM.

BY PUBLIC PROSECUTOR S.U. NAZAR.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 19/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A. No.5632 OF 2007

Dated this the 19th day of September, 2007

ORDER

The petitioner apprehends arrest on the allegation that he has committed non-bailable offences of kidnapping etc., of one Preetha, daughter of Kesavan Namboothiri from Palakkad.

2. The learned Public Prosecutor, after taking instructions, submits that there is no crime registered against the petitioner and there is no intention whatsoever to arrest the petitioner on any such allegation of having committed any non-bailable offence. It is true that enquiries were made about the petitioner; but he shall not be arrested. I take note of and hereby record the above submission of the learned Public Prosecutor. It is now evident that the apprehension of the petitioner is without any basis. The learned Public Prosecutor undertakes that if, in future, the petitioner were required to be

arrested for the allegation referred to in the Bail Application, prior permission of this Court shall be taken after giving due notice to the learned counsel for the petitioner herein.

3. Accepting the submissions of the learned Public Prosecutor, this Bail Application is dismissed as unnecessary.

Sd/-

(R. BASANT, JUDGE)

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P.S. to Judge